

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

CONGOLEUM CORPORATION, *et al.*,

Debtors and Debtors-in-Possession.

Chapter 11
Case No. 03-51524 (KCF)
Jointly Administered
Honorable Judge Kathryn C.
Ferguson

CONGOLEUM CORPORATION, Debtor-in-Possession,

OFFICIAL COMMITTEE OF BONDHOLDERS
OF CONGOLEUM CORPORATION, *et al.*, As A
Representative of the Debtors-In-Possession,

Plaintiffs,

v.

ARTHUR J. PERGAMENT, as the Collateral Trustee of the Collateral Trust, on behalf of Claimants Holding Claims in Class-2 – Secured Asbestos Claims of Qualified Pre-Petition Settlement Claimants and Class 3 – Secured Asbestos Claims of Qualified Participating Claimants, *et al.*,

Defendants.

Adv. Pro. No. 05-06245
Adv. Pro. No. 05-06461

**NOTICE OF JOINT MOTION FOR LEAVE TO FILE A
FOURTH AMENDED COMPLAINT IN THE OMNIBUS
AVOIDANCE ACTION AND A FIRST AMENDED
COMPLAINT IN THE SEALED AVOIDANCE ACTION**

TO: All Parties on Master E-mail Service List

PLEASE BE ADVISED that Plaintiff Congoleum Corporation (“Congoleum”), by and through its undersigned counsel, along with a Representative of the Debtors-in-Possession, the Official Committee of Bondholders of Congoleum Corporation, *et al.* (the “Bondholders’ Committee,” collectively with the Debtors, the “Plaintiffs”), by its attorneys Akin Gump Strauss Hauer & Feld, LLP and Teich Groh, have filed a joint motion in the above-captioned Avoidance Actions with the United States Bankruptcy Court for the District of New Jersey for leave to file amended complaints (the “Joint Motion”).

PLEASE BE FURTHER ADVISED that a hearing on the Joint Motion, if necessary, shall be held on **January 6, 2009, at 2:30 p.m.**, or as soon thereafter as counsel and interested parties may be heard, before the Honorable Kathryn C. Ferguson, United States Bankruptcy Judge, at the United States Bankruptcy Court for the District of New Jersey, located in the Clarkson S. Fisher Federal Building, 402 East State Street, Trenton, New Jersey, in Courtroom 2.

PLEASE BE FURTHER ADVISED that objections, if any, to the Joint Motion shall be in writing and must be filed with the Bankruptcy Court and served on Plaintiffs, through their counsel, Okin, Hollander & DeLuca, L.L.P., Pillsbury Winthrop Shaw Pittman LLP, Teich Groh, and Akin Gump Strauss Hauer & Feld, LLP, at the addresses indicated below, **so as to be received no later than December 30, 2008 at 5:00 p.m.** Copies of any such objection served on Plaintiffs shall be delivered to Plaintiffs' attorneys at each of the following addresses:

Paul S. Hollander, Esq.	Richard L. Epling, Esq.
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1333 New Hampshire Avenue, NW	
Washington, DC 20036	

PLEASE BE FURTHER ADVISED THAT IF NO OBJECTIONS TO THE JOINT MOTION ARE FILED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE JOINT MOTION WITHOUT FURTHER NOTICE AND WITHOUT A HEARING.

PLEASE BE FURTHER ADVISED that, because the Joint Motion does not raise any novel issues of law, no brief is being submitted at this time (*see* Local Bankruptcy Rule 9013-2); however, unless the Court directs otherwise, Plaintiffs reserve the right to submit a brief in

support of the Joint Motion should any objection be filed and served that raises issues of law or fact.

Dated: December 9, 2008

OKIN, HOLLANDER & DELUCA, L.L.P.

By: /s/ Gregory S. Kinoian

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and

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Congoleum Corporation, *et al.*, As A Representative of
the Debtors-In-Possession